

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Hall, Carol L.,

Civil Action No. 3:22-2251-CMC

Plaintiff,

vs.

ORDER

Manager, Republic National Company,

Defendant.

This matter is before the court on Plaintiffs' *pro se* Complaint. ECF No. 1. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2)(c), DSC, this matter was referred to United States Magistrate Judge Paige J. Gossett for pre-trial proceedings and a Report and Recommendation ("Report").

On August 17, 2022, the Magistrate Judge issued a Report recommending the Complaint be summarily dismissed without prejudice and without issuance and service of process for lack of subject matter jurisdiction. ECF No. 9. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if she failed to do so. Plaintiff filed a letter addressed to the Clerk of Court on August 31, 2022, but no other documents. ECF No. 12. In an abundance of caution, this court will consider Plaintiff's letter as objections to the Report.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *See Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a de novo determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made

by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b). The court reviews the Report only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”) (citation omitted).

After reviewing the record of this matter, the applicable law, the Report and Recommendation of the Magistrate Judge, and Plaintiff’s submission, the court agrees with the conclusions of the Magistrate Judge. Plaintiff’s letter references her prior case, No. 3:22-331, and notes it should not have been closed. ECF No. 12 at 1. She asserts her “statement concerning ‘unknown’ was mistakenly spoken, this concerns referenced entity, and the illegal removal and sale of home, etc.” *Id.* She appears to contradict the Magistrate Judge’s assertion that the defendant in this case is “unknown,” and that the Defendant illegally removed personal property and sold her home, forcing her to become homeless. However, the court agrees with the Report Plaintiff’s Complaint does not reveal a basis for federal jurisdiction. In addition, it does not meet the pleading requirements of Federal Rule of Civil Procedure Rule 8, requiring a “short and plain statement of the claim showing the pleader is entitled to relief.”

Accordingly, the court adopts and incorporates the Report and Recommendation by reference as supplemented in this Order. Plaintiff's Complaint is hereby summarily dismissed without prejudice and without issuance and service of process.

IT IS SO ORDERED.

s/Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
Senior United States District Judge

Columbia, South Carolina
September 1, 2022